

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

WILLIAM G.)	
)	
Plaintiff,)	
)	
v.)	Docket No.: 1:23-cv-00342-LEW
)	
MARTIN O'MALLEY,)	
Commissioner of Social Security)	
)	
Defendant)	

ORDER

Pursuant to the power of this Court to award fees to a prevailing party other than the United States incurred by that party in a civil action against the United States, including proceedings for judicial review of agency action, under the Equal Access to Justice Act (“**EAJA**”), 28 U.S.C. § 2412(d)(1)(A), and in light of this Court’s Order dated February 6, 2024, reversing the Commissioner’s decision and remanding this case to the Commissioner for further proceedings,

IT IS HEREBY ORDERED that the United States Social Security Administration shall pay attorney’s fees in the amount of four thousand, seven hundred, sixty-four dollars and sixteen cents (\$4,764.16) in full satisfaction of any and all attorney’s fee claims Plaintiff may have in this case under EAJA.

Pursuant to the United States Supreme Court’s ruling in *Astrue v. Ratliff*, 560 U.S. 586 (2010), these attorney’s fees and costs are payable to Plaintiff as the prevailing party, and are subject to offset through the Treasury Department’s Offset Program to satisfy any pre-existing debt Plaintiff may owe to the government. If, subsequent to the entry of this

Order, the Commissioner determines that Plaintiff owes no debt to the government that would subject this award of attorney's fees and costs to offset, the Commissioner may honor Plaintiff's signed assignment of EAJA fees dated August 26, 2023, which provides for payment of the subject attorney fees to Plaintiff's counsel, rather than to Plaintiff. If, however, Plaintiff is discovered to owe the government any debt subject to offset, the Commissioner may pay any attorney's fees remaining after such offset to Plaintiff rather than to counsel.

SO ORDERED.

Dated this 6th day of March, 2024.

/s/ Lance E. Walker
UNITED STATES DISTRICT JUDGE